97-84163-30

Family allowances and allotments-of-pay for...

[Newark, N.J.]

[1944]

97-84163-30
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Family allowances and allotments-of-pay for soldiers' dependents. Nov. 1944. [Newark, N.J. : Army Service Forces, Office of the Fiscal Director, Office of Dependency Benefits, 1944] 28 p.

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TECHNICAL MICROFORM DATA

FILM SIZE: 35mm REDUCTION RATIO: 9:1 IMAGE PLACEMENT: IA (IIA) IB IIB

DATE FILMED: 8/15/97 INITIALS: TLM

TRACKING # : 26915

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FAMILY ALLOWANCES AND ALLOTMENTS-OF-PAY FOR SOLDIERS' DEPENDENTS

NOTICE

Here are five of the most important facts to know:

1. Application for a family allowance for a soldier's dependents should be made by the soldier in every case where practicable. When this is impracticable, application may be made by the dependents of the soldier or by some other person in behalf of the dependents.
2. Every application for a family allowance must be made on the official application form, "Application for Dependency Benefits" (WD AGO Form No. 625). To fill out the form properly, follow the instructions carefully.
3. Soldiers obtain official application forms from their commanding officers; civilians may obtain official application forms from any Army installation.
4. After an application is filed, all changes in the status of the soldier or his relatives or dependents which might affect the allowance must be reported immediately.
5. Dependents should protect their family allowance checks from theft or fraud by receiving them in person from the postman and by cashing them promptly, with proper identification.

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FAMILY ALLOWANCES

DEFINITION

Under the Servicemen's Dependents Allowance Act of 1942, as amended, the Government will help enlisted men and women in all grades, also aviation cadets, to take care of dependents by means of family allowances.

For the purpose of this booklet, the term "soldier" or "enlisted man" shall include enlisted men and women in all grades, and aviation cadets. These terms include inductees as well as men and women who enlisted.

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1. What is a family allowance?

A Government check sent to the soldier's dependents regularly every month so long as he and they remain eligible. The family allowance is made up of money deducted from the soldier's pay and money contributed by the Government. It is payable only to dependents eligible under the law (Public Law 625, 77th Congress, as amended). It is granted only upon application

2. Who administers family allowances for the Army?

The Army Service Forces, Office of Dependency Benefits, Newark 2, New Jersey, administers and pays family allowances for the Army. This office also administers and pays class E allotments-of-pay for the Army.

ELIGIBLE DEPENDENTS

3. Who is eligible to receive it?

(a) **Class A dependents**—The lawful wife of soldier, his children, and a former wife divorced who has not remarried and to whom alimony is still payable. Also, a wife living separate and apart from soldier under court order or written agreement providing for maintenance or support. These, consid-

ered his primary responsibility, need prove only relationship (see question 12, pages 7-9).

Lawful wife includes wife living in soldier's household, wife living separate and apart, and common-law wife if marriage was contracted in a state in which common-law marriages were recognized at the time such marriage was established.

Former wife divorced includes only the former wife who has not remarried and to whom alimony is still payable.

Child includes soldier's legitimate child, his adopted child, a stepchild if a member of the man's household, an illegitimate child if the required proof of paternity is submitted (see page 8), and any child to whom he has stood in loco parentis (in place of parent) for at least one year prior to date of application. To be eligible, a child must be unmarried and under 18 years of age, or of any age if incapable of self-support by reason of mental or physical defect.

NOTE—*The husband and child of an enlisted woman are eligible only if they are dependent upon her for* **chief** *support. They must submit, as evidence, a Dependency Certificate (WD AGO Form No. 620) in addition to other evidence required of class A dependents.*

(b) **Class B-1 dependents**—Parents and minor brothers and sisters as defined below, who are dependent upon soldier for their **chief** support.

Parent includes father and mother, grandfather and grandmother, stepfather and stepmother, father and mother through adoption, either of the soldier or of his spouse, and persons who, for a period of not less than 1 year prior to the man's enlistment or induction, stood in loco parentis (in place of parent) to the soldier. No more than two parents are eligible for an allowance based on the service of one soldier.

Brother and sister include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption. To be eligible, a brother or sister must be unmarried and under 18 years of age, or of any age if incapable of self-support by reason of mental or physical defect.

(c) **Class B dependents**—Parents, brothers, and sisters who are dependent upon the soldier for a **substantial** portion of their support. Class B dependents may receive a family allowance only while there is

no allowance being paid to the soldier's class B-1 dependents.

NOTE—*Class B-1 and class B dependents may receive family allowance only with soldier's consent. Payments will be discontinued at his request at any time.*

THE WAY TO APPLY

4. How is application made?

(a) Application should be made only on official form (WD AGO Form No. 625). These forms are available at Army reception centers, Army recruiting stations, American Red Cross chapters, service command headquarters, and the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey.

(b) **Documentary evidence should accompany all applications, and no payments may be made until the evidence has been submitted and approved.** There is one exception: if soldier serving in Alaska or outside the continental United States files application for class A dependents without attaching such evidence, payment may be authorized. Evidence should, however, be submitted as soon as practicable within six months, or payments will be stopped. (All required evidence for a class B or class B-1 dependent must be submitted with the application.)

(c) **All questions on the form must be answered.**

5. Who should file the application?

(a) The soldier himself should apply for the family allowance, if practicable. He should file application with his commanding officer. Official application form (WD AGO Form No. 625) will be given him at the reception center. He should follow carefully the simple instructions printed on form and, if possible, attach all required documentary proof of claims of relationship and dependency (see question 12, pages 7-11).

(b) Dependents may apply but it is best for the soldier to apply. His wife or child (also a divorced wife who has not remarried and to whom alimony is still payable) may receive this benefit with or without his consent. But class B-1 and class B dependents may receive it only if the soldier agrees.

6. Where is application sent after it is filled out?

(a) Instructions are printed on the final page of the four-page form. A civilian applying should retain copy marked Applicant's Copy and instruction sheet and mail remaining pages of form to the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey. Soldier should retain Applicant's Copy and instruction sheet of form and turn in remaining pages to his commanding officer, who will forward them to the ODB.

(b) Civilians should be sure to put sufficient postage on their envelopes in mailing applications and evidence. Three cents' postage is not always sufficient.

WHEN PAYABLE

7. What is the difference between "Initial" and "Regular Monthly" family allowances, and how soon are they payable?

(a) The Servicemen's Dependents Allowance Act of 1942 as amended, provides for the payment of an INITIAL family allowance to certain dependents of enlisted men who entered the service on or after November 1, 1943. This initial family allowance payment is contributed entirely by the Government, and no deduction is made from the soldier's pay.

Application for an initial family allowance must be made by the soldier within fifteen days after entering on active duty in a pay status.

An initial family allowance payment is made only to class A dependents (wife and children) and class B-1 dependents (parents, brothers, and sisters who are dependent upon the soldier for chief support).

The initial family allowance payment covers the month in which the soldier entered the service, and is mailed from the finance office at the station to which the soldier is assigned.

(b) Regular MONTHLY payments of family allowance will be made by the Office of Dependency Benefits, Newark 2, New Jersey if documentary evidence of relationship or dependency supporting the soldier's sworn statements is submitted to and approved by that office. On the basis of the evidence, the Office of Dependency Benefits will determine whether payment of monthly family allowance is warranted and the amount to be paid in accordance with the provisions of the Servicemen's Dependents Allowance Act of 1942 as amended. In some cases the regular monthly amount may be different from the amount of the initial payment.

Dependents who receive an initial allowance will not receive a monthly allowance for the same month. The regular monthly family allowance is "earned" during the calendar month after the soldier entered the Army and **is payable after it is "earned."** For example: If the soldier enters the Army March 3rd and his dependents receive the initial family allowance payment March 10th, the regular monthly family allowance, if approved by the Office of Dependency Benefits, will be "earned" during April and will not be payable until May. Thereafter regular monthly checks will be mailed after the end of the month in which they are "earned."

AMOUNTS PAID

8. How much is deducted from soldier's pay?

(a) $22 a month, if the family allowance is for class A, class B-1, or class B dependents only $27 a month, if it is for more than one class of dependents This sum is deducted for all regular monthly payments of a family allowance. (No sum is deducted from the soldier's pay for the initial family allowance. The initial family allowance is paid only if the soldier applies within 15 days after he enters on active duty in a pay status. The Government contributes the entire sum of such initial allowance. Initial family allowance payments are made by disbursing officers in the field, not by the ODB.)

(b) In case alimony payable to a former wife divorced is less than $22 a month, a monthly deduction of less than $22 (the exact amount of the alimony) will be made from the soldier's pay, provided the soldier has no other dependents who receive family allowance.

9. How much will soldier's dependents get?

The amounts are fixed by law for each eligible dependent. A chart of monthly payments follows:

Class A Dependents

Wife (no child)	$50†
Wife and 1 child	80
Wife and 2 children	100
For each additional child	an additional 20
Former wife divorced	up to 42*
Former wife divorced and 1 child	up to 72*
Former wife divorced and 2 children	up to 92*
For each additional child	an additional 20
Child but no wife	42
For each additional child	an additional 20

† Wife living separate and apart under permanent or temporary court order or written agreement is limited to amount provided therein, up to $50.

* In no case will the monthly payment to a former wife divorced exceed $42. If alimony is more than $42, payment may be in the amount of $42; if alimony is less than $42 a month, payment is in the exact amount of alimony. Under the law as amended, payments to a soldier's wife and his former wife divorced are no longer divided proportionately. The wife receives $50; the former wife, up to $42.

Class B-1 Dependents

1 parent	$50
2 parents	68
1 parent and 1 brother or sister	68
2 parents and 1 brother or sister	79
1 brother or sister but no parent	42
For each additional brother or sister	an additional 11

Class B Dependents

1 class B dependent or more than one.....$37*

*This amount is a flat rate, no matter how many dependents there are, and is payable only if there is no family allowance payable to any class B-1 dependents.

10. Who mails the regular monthly checks?

Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey.

11. Will checks be sent to each dependent named in application?

Unless otherwise requested by the applicant, the full sum due all dependents each month will be mailed in one check. For example, the monthly payment for a wife and two children will be mailed to the wife if she is named as payee in the application. However, payments may be made to more than one dependent, if they are designated by the applicant as payees or are determined by the ODB to be proper payees. For example, the payment for a father and a mother-in-law who are dependent upon the soldier for their chief support (class B-1) may be divided equally and mailed in two checks—one to each dependent. Only one payee may be named for class B dependents, unless they are living in separate households. In such a case monthly payment of $37 will be divided equally among the dependents and a separate check mailed to one designated payee in each household.

EVIDENCE REQUIRED

12. What documentary proof must accompany application?

Class A Dependents

For a wife: A copy of the public or church record of marriage certified by the official custodian is preferable.

NOTE—*If preferred proof of marriage cannot be obtained, the best available evidence should be submitted. A partial list of such secondary evidence includes the following documents:*

(1) Photostatic copy of public or church record.

(2) Certificate by clergyman or public official who performed ceremony.

(3) Affidavits of two eyewitnesses to ceremony.

For a common-law wife: Proof of common-law marriage to soldier, if undisputed. In states or territories where common-law marriages were recognized at time such relationship existed, affidavit of either soldier or his common-law wife, and in addition, affidavits of two other persons having personal knowledge of the circumstances.

For a divorced wife: Proof of divorce. Copy of court decree of divorce certified by the clerk of the court.

For a separated wife (with or without children): Copy of court decree of separation and maintenance certified by the clerk of the court. Or, if not separated by court order, true copy of written separation agreement between soldier and separated wife, together with affidavit to the effect that the same is a true copy in all respects and is still in full force and effect (see Definition of affidavit, page 10).

For a child: Proof of age and relationship.

For a legitimate child: Copy of public record of birth or church record of baptism certified by the official custodian is preferable (see Note, page 8).

For an adopted child: Copy of court decree of adoption certified by the clerk of the court; also, record of birth.

For an illegitimate child: Copy of court decree certified by the clerk of the court declaring soldier the father of such child or ordering soldier to contribute to child's support, or soldier's written acknowledgment that he is the father of the child. (If soldier applies, his application is acceptable as such acknowledgment.) Also, record of birth.

For a stepchild: All of the following evidence:

(1) Copy of public record of birth or church record of baptism certified by the official custodian is preferable (see Note, page 8).

(2) Copy of public or church record of marriage of child's mother to soldier certified by the official custodian is preferable.

(3) Written statement of soldier or of other person who files application, asserting that the stepchild is residing in household of soldier.

For a child to whom soldier has stood in loco parentis (in place of parent): Affidavits from two persons familiar with the facts, stating that soldier has stood in place of parent to child for at least one year prior to date of application and stating extent of parental control exercised over the child. Also, record of birth.

NOTE—*If preferred proof of birth cannot be obtained, the best available evidence should be submitted. These include any one of the following documents, listed in order of preference:*

(1) Photostatic copy of public or church record.

(2) Affidavit from physician, midwife, or nurse who attended birth, or from godparents.

(3) Affidavits from two persons, stating their actual knowledge of name, age, date, and place of birth of child, and naming child's parents.

(4) If no other evidence is available, certified copy of records from a family Bible, church, naturalization or immigration office, or a hospital. Also, abstracts of passports or insurance policies, provided such abstracts are certified as true copies by a notary public or similar official, and supported by affidavits from two persons familiar with the facts (see Definition of affidavit, page 10).

NOTE—*If dependent child is over 18 years of age, unmarried, and incapable of self-support because of physical or mental disability, a certificate by an attending physician or psychiatrist is required, explaining the nature and extent of disability.*

Class B-1 Dependents

For a parent: Proof of relationship to soldier and dependency upon him for chief support.

For parent or parent-in-law: Dependency Certificate (WD AGO Form 620) signed by parent and by a witness to signature. The certificate attests to relationship of parent to soldier and dependency upon soldier for chief support. This certificate may be obtained at Army posts or camps, American Red Cross chapters, service command headquarters, or at the Office of Dependency Benefits. All dependents living in one household may sign same certificate. The same witness may sign certificate as witness to all signatures therein. Dependents living in separate households must sign separate certificates. The signer of a Dependency Certificate should bear in mind the fact that any false statement made therein constitutes a violation of the Servicemen's Dependents Allowance Act of 1942, as amended, and renders the person who makes such false statement liable to arrest, and upon conviction, to fine or imprisonment, or both.

For parent described in adoption: Dependency Certificate and certified copy of court decree of adoption.

For a step-parent: Dependency Certificate.

For a person who has stood in loco parentis (in place of parent) to soldier: Dependency Certificate and affidavits by two persons familiar with the facts, stating when and under what circumstances the relationship began, also the age and relationship of parties concerned. Such affidavits must include the extent to which this parent contributed to support and education of soldier, and extent of parental control exercised over him. If soldier's parents are alive, affidavits must state when and how they ceased to exercise parental control.

NOTE—*A soldier may name no more than two parents in an application for family allowance.*

For a brother or sister: Proof of relationship to soldier and dependency upon him for chief support. Required proof includes all documents listed below:

(1) Copy of public record of birth or church record of baptism certified by the official custodian is preferable (see Note, pages 8 and 9).

(2) Dependency Certificate. This certificate must be signed by person completing form on behalf of a dependent under 18 years of age.

(3) If dependent is over 18, unmarried, and incapable of self-support because of physical or mental disability, certificate of attending physician or psychiatrist is required, explaining nature and extent of disability.

Class B Dependents

Evidence in the case of class B dependents is the same as that required for class B-1 dependents (see pages 9 and 10), except that in Dependency Certificates they must prove they are dependent upon the soldier for a substantial portion of their support, instead of for chief support.

NOTE—*Documentary proof preferred for ODB records is a certified copy, either written or photostatic, and not the original certificate.*

Definition of affidavit. An affidavit is a written

statement or declaration, made under oath before a civil or military authority who is authorized to administer oaths. An official seal of office should appear on all affidavits executed by a civil authority in those states where seals are required. Proper civil authorities usually include: (1) clerk of court, (2) notary public, (3) captain of a vessel at sea, (4) judge, (5) justice of the peace. Proper military authorities usually include: (1) adjutant or adjutant general of a command, (2) summary court, (3) judge advocate, (4) investigating officer, (5) president of board of officers, (6) recorder of board of officers. Ordinarily, affidavits in support of an application should be made by persons who will receive no benefit from the family allowance being applied for.

CHANGE OF ADDRESS

13. If dependents move, what should be done to make sure ODB checks reach them?

The ODB should be notified promptly of new address. Send postcard or letter to the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey, giving full name of dependent to whom check is written, also old address and new address, soldier's name and Army serial number, and family allowance application (X-) number, if this is known. Postmaster at old address also should be notified.

CHANGE OF STATUS

14. What is a change of status?

(a) Any change in family conditions which would affect family allowance payments (cause them to be increased, decreased, or stopped). Principal changes of status include birth of a child; marriage of a soldier, adding wife as dependent; marriage of dependent, making such dependent ineligible; increase in family income from which dependent benefits, so that dependent no longer relies upon soldier for support as claimed; death of dependent.

(b) Change of status also includes any change which renders soldier ineligible, such as, promotion to rank of warrant officer or above, his death in or discharge from the service.

15. How should the ODB be notified of birth, marriage, or other change of status of dependents or of soldier?

By Report of Change of Status form (WD AGO Form No. 641) accompanied by necessary documentary evidence (see question 12, pages 7-11). For example, if a child is born, evidence of birth; if the soldier marries, documentary evidence of marriage; if a dependent parent is added, a Dependency Certificate; if a dependent dies, a death certificate.

16. Where may Notification of Change of Status forms be obtained?

(1) Report of Change of Status forms (WD AGO Form No. 641) may be obtained from the commanding officer of the nearest Army post or camp, the nearest Army recruiting station, local chapters of the American Red Cross, the commanding general of any service command, or the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey.

(2) If Report of Change of Status form (WD AGO Form No. 641) is unavailable, it is permissible to submit such notification by ordinary letter accompanied by the required documentary evidence.

17. How soon is increased family allowance effective when soldier acquires a new dependent?

The period of time varies with different dependents, as follows:

(a) For a child or additional child born to soldier and his wife after the filing of the original family allowance application and the authorization of a family allowance, the increased allowance shall be effective as of the first day of month in which birth occurs, regardless of whether the notice of birth or evidence thereof may be received by the ODB in a later month. However, notice should be sent in promptly so that payments may begin. First payment for such child is payable as soon as practicable after the end of the month in which the ODB receives notice of birth and required proof.

(b) For a dependent acquired through marriage, adoption, or any other means, the family allowance for such dependent is effective as of the first day of month in which required written application (or Report of Change of Status form, (WD AGO Form No. 641) in case of an increase) is filed, or the first day of the month in which dependent is acquired, whichever is later. Payments for such dependent may begin as soon as practicable after the end of

month in which application or notice of change and required documentary proof are received by the ODB.

18. Under what conditions will a family allowance be stopped?

Payment will be stopped if any change of status occurs which makes either soldier or his dependent ineligible, such as:

(a) Appointment of soldier to rank of a warrant officer or above, or his death in or discharge from the service.

(b) Death of a beneficiary. This would terminate family allowance for that beneficiary only.

(c) Attainment of 18th birthday by any brother, sister, or child, except one incapable of self-support by reason of mental or physical defect.

(d) Marriage of any brother, sister, or child receiving family allowance.

(e) Remarriage of former wife divorced, or voiding court order under which alimony has been decreed.

(f) Cessation of dependency of class B-1 or class B dependent. For example, if dependent benefits from an increased family income and no longer relies upon soldier for support.

(g) Soldier's request that payment of family allowance to any class B-1 or class B dependent be terminated (see Note, page 3).

(h) Soldier's desertion from service.

NOTE—*When soldier is appointed to a commissioned rank, discharged from the service, or dies, the ODB is notified of such change of status through military channels. No Report of Change of Status form (WD AGO Form No. 641) need be filed by the dependent in such cases.*

19. How soon will family allowance payments stop after period of entitlement ceases?

The law provides that entitlement to a family allowance will terminate on or be modified at the end of the month in which a change of status in the en-

listed man or his dependents occurs, rendering them no longer eligible. In cases of soldiers officially carried in a missing status within the meaning of Section 2 of Public Law 408, 78th Congress, entitlement and payment of family allowance will continue after death and until the date of receipt of evidence of death by the department concerned.

20. When will payments actually stop after a dependent dies or for other reason ceases to be entitled to the family allowance?

(a) Payments cease when the ODB receives notice that dependent is no longer eligible for this benefit. However, entitlement ceases at the end of the month in which the dependent becomes ineligible and any check received after the period of entitlement is an overpayment and may be recovered by the Government.

(b) In case of class B-1 or class B dependents, the soldier may request discontinuance at any time. The payment of monthly family allowance to such dependents will be discontinued or reduced at the end of the month in which notice is received from the soldier requesting discontinuance or reduction in payment of family allowance (by discontinuance of benefit to one or more dependents named in original application).

21. When will family allowance payments be stopped after a soldier deserts the service?

Payment will terminate at the end of the month in which notice is received by the ODB of the soldier's conviction of desertion, or notice that soldier has been absent in desertion for three months, whichever occurs first. If he is later restored to duty, such family allowance may be reinstated as of the first of the month in which such restoration occurs.

22. If change in conditions causes class B dependent to rely upon soldier for chief support, how may increased family allowance be obtained?

By filing Report of Change of Status form (WD AGO Form No. 641), stating present degree of dependency. Likewise, if class B-1 dependent becomes only substantially dependent upon soldier, Report of Change of Status form (WD AGO Form No. 641) should be filed promptly with the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey. Heavy penalties are provided by law for acceptance (with intent to defraud) of payments to which one is not entitled.

MISCELLANEOUS QUESTIONS AND ANSWERS

23. If a man with dependents is about to be inducted, what arrangements should he make for a family allowance?

In order to speed authorization and payment of a family allowance after induction, a man should gather documentary evidence ahead of time. He should also get a copy of the Family Allowance Information Sheet (WD AGO Form No. 636) from his local Selective Service Board or from the ODB in Newark, and fill in all required information. He should take this and the documentary proof with him to the reception center when reporting for active duty. The Information Sheet is NOT an application form and cannot be accepted as such by the ODB. It contains all questions which must be answered by the soldier on the official application form which he will get at his reception center.

24. Are officers, Army nurses, warrant officers, or USMA cadets, entitled to a family allowance for their relatives or dependents?

No. The benefits of this Act are limited to enlisted men and women and aviation cadets.

25. Are enlisted members of the Women's Army Corps eligible?

Yes. They may apply for a family allowance for dependent children, dependent husbands, and also for dependent parents, brothers, and sisters (see Note, page 2).

26. May a soldier who is eligible for a family allowance also authorize a class E allotment-of-pay?

Yes, and many do authorize such an allotment-of-pay in addition to the family allowance, in order to provide added security for their dependents.

NOTE—*For information about class E allotments-of-pay, see page 22.*

27. If a dependent is in a hospital or institution, may payment of the family allowance be made to some other person or to the institution, to the credit of that dependent?

Yes. If the applicant desires that payment be made to a person other than the entitled relative or dependent, or to an institution, to the credit of that dependent, the name and address of such person or institution will be entered on the application in the proper location. The Office of Dependency Benefits will determine whether or not the payee designated is the proper person to receive payment.

28. Will uncertified photostatic copies of documentary evidence be accepted?

Yes. When the preferred certified copy cannot be obtained.

29. What effect will a sentence of a court martial or being sick due to misconduct have upon a soldier's family allowance?

The allowance will continue to be paid as long as the soldier is in the status of an enlisted man and as long as his dependents remain eligible. The deductions for the family allowance continue as a charge against his pay. If a court-martial sentence includes dishonorable discharge, the family allowance will be discontinued

30. What happens to a family allowance in effect when a soldier is reported missing, missing in action, beleaguered, besieged, captured, or interned.

It is continued until the date of receipt by the department concerned of evidence that the person is dead or upon the date of death prescribed or determined under provisions of Section 5 of Public Law 408, 78th Congress, subject to right of the soldier to terminate it if dependents receiving it are other than wife, child, or former wife divorced. Soldier may be in a position to exercise this right if interned or captured, and able to establish contact with the ODB. (If dependents are not receiving a family allowance at the time, and are eligible, they may apply for this benefit on the official form, WD AGO Form No. 625.)

31. When a dependent dies, what should soldier or other relatives do with a check or checks sent to the deceased dependent after death, or uncashed at time of death?

Such check or checks should be returned to the Office of Dependency Benefits, 213 Washington St., Newark 2, N. J. A new check (covering all payments due) will be sent to an appropriate payee as determined or approved by the ODB.

32. If payments for two or more dependents are included in one check and one such dependent dies before the check is cashed, should survivors try to cash this check?

No. Such a check should be returned to the ODB as directed under question 31. A new check will be drawn covering the amounts due surviving dependents. Amounts due deceased dependents will be paid to an appropriate payee designated or approved by the ODB.

33. May a wife apply for a family allowance if her Army husband has made no arrangements for it?

Yes, if he is an enlisted man or an aviation cadet. She should fill out WD AGO Form No. 625 and attach required evidence (see question 12, pages 7-9). The application may be approved with or without his consent. There is one exception. If she is the wife of an enlisted man in one of the first three grades and her husband already has a monetary allowance in lieu of quarters in effect (either for her or other dependents) which he wishes to continue instead of the family allowance, she will receive no family allowance.

34. If the class A dependents of a soldier make application for a family allowance, and the soldier thinks they should not be granted an allowance because of special circumstances, can the soldier appeal for relief from the requirement of providing a family allowance for them?

There is no way in which the soldier may control an application made by or on behalf of an eligible class A dependent. Section 104 of Public Law 625, 77th Congress, states: "A monthly family allowance shall be granted and paid by the United States to the class A dependent or dependents of any such enlisted man upon written application to the department

concerned made by such enlisted man or made by or on behalf of such dependent or dependents."

35. If a soldier with a wife and children is divorced by his wife while he is in the Army, and she is decreed alimony, will the family allowance be reduced?

Family allowance for former wife divorced will be reduced from $50 a month to a sum up to $42 (see page 6). Payments for children remain the same: $30 for one child, $20 for each additional child.

36. If soldier cited in question 35 remarries, will his second wife receive a family allowance?

Yes, she will receive the full monthly payment for a lawful wife, $50. The amount of her family allowance is not affected by the fact that the former wife receives a family allowance. Nor will former wife's family allowance or that of her children be affected by his remarriage.

37. If a soldier has two children, one living in his own household and the other in the household of a former wife divorced (or a separated wife), will one child receive monthly payments of $30 and the other child, $20?

No. Each child will receive $25 a month. Under joint Army and Navy regulations governing administration of the Servicemen's Dependents Allowance Act of 1942, as amended, total sum of family allowance payments for all children of a soldier will be divided equally among them.

38. If a woman has entered into a common-law marriage in a state where such marriages are recognized, and is at present receiving a family allowance, would she become ineligible for this allowance if she moved to a state where common-law marriages are not recognized?

No. Once a valid and lawful common-law marriage is established, it can be dissolved only by death or divorce.

39. Are all enlisted men in the first three grades (staff sergeant, technical sergeant, first sergeant, and master sergeant) required to contribute to a family allowance for their wives and other class A dependents?

A family allowance for class A dependents of a soldier in any one of the three higher grades is compulsory if such dependents request it and if the enlisted man has no monetary allowance in lieu of quarters for dependents (in effect on or applied for on or before November 1, 1943) on behalf of his wife, children, and/or other dependents. If he has such monetary allowance, he may elect to continue it instead of applying for a family allowance, or to discontinue it in favor of a family allowance. He may not have both. Nor may any soldier request a monetary allowance in lieu of quarters for dependents after November 1, 1943. The family allowance is the only benefit for dependents for which enlisted men are eligible after that date, except as stated above.

NOTE—*A soldier who chooses to continue a monetary allowance in lieu of quarters for dependents rather than to apply for a family allowance can do so only if he authorizes a voluntary class E allotment-of-pay on behalf of those dependents in an amount at least equal to such quarters allowance. The allotment-of-pay checks will go directly to dependents, not to the soldier.*

40. Should the wife of a man overseas write to him concerning reinstatement of her family allowance if he has become eligible again?

No. She should apply for reinstatement by filing a new application for family allowance on the prescribed official form, WD AGO Form No. 625.

41. Should wife requesting reinstatement send in documentary evidence again?

Not if she has submitted all required evidence. It will be a matter of permanent record at the ODB.

42. Should a soldier in one of the first three grades who wishes to have a family allowance reinstated for his dependents file a second application for them?

No. He should apply by letter through his commanding officer, stating facts of case (see question 40).

43. Is it compulsory for a soldier to apply for a family allowance for his class B-1 or class B dependents?

A family allowance for eligible class B-1 or class B dependents is entirely optional with the soldier and will be stopped at any time at his request.

44. Are the dependent parents of a man in the Army Air Forces eligible for a family allowance?

If the man is an enlisted man or an aviation cadet, yes. If he is a commissioned officer, no. An officer may, however, authorize a voluntary class E allotment-of-pay on their behalf, if he wishes to do so. The Army Air Forces is a part of the Army.

45. May a mother who worked in order to support her son prior to his entry in the Army (and is still working) receive a family allowance from him?

Such a case would have to be judged on its merits. She must prove that she is dependent upon her son in order to be eligible (see pages 9 and 10).

46. Is a mother entitled to a family allowance from her son simply because he is her eldest son?

No.

47. May a mother with two sons in the service have a family allowance from each son?

Yes, provided she is dependent upon both of them at least to a substantial degree, and provided that each son desires to apply for a family allowance on her behalf. She may be dependent upon one son (and only one) for chief support and upon a second son for a substantial portion of her support. Or, she may be dependent upon each son for a substantial portion of her support.

48. What steps should she take to get this benefit from both sons?

She should request each soldier to apply on her behalf, as the family allowance will be payable only at his request or with his consent. She might supply each soldier with a Dependency Certificate (WD AGO Form No. 620) properly filled out and signed by herself and by one witness to her signature. If the two sons desire to apply on her behalf, they may then attach these forms to their applications.

49. A mother has sons and a daughter in the service, and a husband who is retired on a small pension. May she receive a family allowance from any one of her children in the service?

Yes, provided she can prove dependency upon any

one of them (see pages 9 and 10), and provided the child concerned consents to the authorization of this benefit.

50. Under what authority does the ODB change the rate of payment or discontinue a family allowance?

Under authority of the Servicemen's Dependents Allowance Act of 1942, as amended. This amendment provides increased payments for certain class A dependents and for those parents, brothers, or sisters who rely upon the soldier for their chief support, establishing these in a new class (class B-1). Under the law as amended, payments to those remaining in class B are fixed at a flat monthly rate of $37 (see page 6).

51. May the ODB discontinue a family allowance to a soldier's dependents even though the soldier wants them to have the benefit?

Yes, if they are not eligible to receive it under the law as amended. The ODB is required to administer the law as authorized by Congress.

52. If a dependent's family allowance payments have been reduced and the dependent is actually relying upon the soldier for chief support, will the ODB reconsider the case upon request?

Yes. The dependent should write the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey, giving full facts to establish claims of dependency. State amount of each item of living expenses such as rent, fuel, food, clothes, and medical bills (per month). Also, state monthly income from sources other than the family allowance. The ODB is set up to authorize family allowances for those who are entitled to them and will review and redetermine any case wherein dependent had not originally supplied the ODB with sufficient facts to support claims of dependency.

53. If a dependent who has been in class B becomes dependent upon the soldier for chief support, may she have payments increased? How?

Yes, payments may be increased. Dependent should write the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey, for reconsideration of her case, giving an itemized statement of income and expenses as outlined in question 52.

54. If a dependent's payments have been discontinued because of failure to return the Dependency Certificate to the ODB, will the case be reopened if this certificate is sent in now?

Yes, the ODB will reconsider the case upon receipt of sufficient evidence to support claims of dependency, together with a letter requesting reconsideration (see question 52).

CLASS E ALLOTMENTS-OF-PAY

For the purpose of the following section of this booklet, the term "serviceman" shall include only enlisted and commissioned personnel including Army nurses wherever serving; and certain civilian personnel of the War Department who are on duty outside the continental limits of the United States.

55. What is a voluntary class E allotment-of-pay?

(a) A monthly sum assigned by the serviceman from his own pay. No amount is contributed by the Government. It may be authorized by all Army Personnel, from privates to generals, either to be paid to dependents, to an insurance company for payment of the allotter's civilian life-insurance premium, to a fiduciary, to a federal savings and loan association, to a state building and loan association, or to a bank for the allotter's or a dependent's credit.

(b) The serviceman (allotter) may increase, decrease, or discontinue a class E allotment-of-pay as he desires. He may cancel it for one allottee and authorize a new allotment, naming another allottee. (An allottee is a person or institution to whom payments are authorized to be made.)

56. How is it authorized?

On the official authorization form, WD AGO Form No. 29. This must be completely and accurately filled out by the serviceman, signed by him, and in the case of an enlisted man, countersigned by his personnel officer or commanding officer.

57. May a serviceman's dependents apply for this allotment-of-pay?

No. The serviceman himself must authorize its payment. It may be paid only to dependents he names on the official authorization form. In some cases when a soldier is in a missing status, the Secretary of War may authorize a class E allotment-of-pay for the support of the soldier's dependents.

58. May a man about to enter the Army get a Form No. 29? If so, where?

Form No. 29 will be available as soon as he enters on active duty in a pay status. He may get one at his reception center, at any Army post or camp, and at any of the service command headquarters.

59. Are class E allotments-of-pay authorized for a stated period of time?

No. Wartime regulations provide that allotments-of-pay shall be authorized for an indefinite period of time. The serviceman may authorize discontinuance at any time (see question 55b).

60. If a serviceman is not eligible for a family allowance, is he required to authorize a class E allotment-of-pay for his wife and children?

No. The authorization is purely voluntary.

61. May a serviceman authorize a class E allotment-of-pay for his mother or other dependent, when he has a wife for whom he has made no provision?

A serviceman may authorize this benefit for any eligible dependent he wishes to name. If he wishes to name his mother as allottee, he cannot be forced to name his wife instead. A wife of an enlisted man, however, may apply for a family allowance.

62. What may a wife or child of an Army man who is not eligible for family allowance do if in need and receiving no money from the serviceman?

If such a serviceman refuses to make provision for his wife and child, they may appeal to his commanding officer. If facts warrant, the serviceman will be urged to make proper provision for his family.

63. How soon after the serviceman has authorized an allotment-of-pay will dependents receive their first monthly payments?

The first check is payable after the end of the month for which authorized. For example: A serviceman files an allotment-of-pay authorization in April, giving April first as the effective date of the allotment. The first check for the month of April will be mailed on or shortly after May first.

64. May an allotment-of-pay be changed by an allottee?

No changes may be made upon requests of persons or institutions to whom payments are made, except changes of address of such persons or institutions.

65. Under what conditions may an allotment-of-pay be changed?

(a) At the request of the allotter (the serviceman).

(b) The Secretary of War may direct that the allotment be changed to meet needs of dependents of Army personnel who are missing, missing in action, interned, besieged, or captured by the enemy.

66. Under what conditions may payments be stopped?

(a) At the request of the allotter (the serviceman).

(b) Whenever the allotter enters a non-pay status.

(c) Upon the allotter's discharge or desertion from service.

(d) During the allotter's absence without leave (AWOL).

(e) Upon the death of allotter or allottee.

67. How soon after death of allottee is an allotment-of-pay discontinued?

(a) The allotment is discontinued immediately upon receipt by the ODB of notice of death of allottee. Any checks which have not been deposited or cashed at time of death are null and void. They should be returned to the Office of Dependency Benefits, 213 Washington St., Newark 2, N. J. The amount of such check or checks will be credited to the pay of the allotter.

(b) It is to be noted that such checks do not become part of the allottee's estate, or subject to any

expense incurred by or on behalf of allottee before or after death.

68. May allottee cash a check received after notice of allotter's death?

No. The amount of such check becomes part of deceased serviceman's estate. Check should be returned.

69. How may the serviceman discontinue an allotment-of-pay?

By filing WD AGO Form No. 30 with his commanding officer, who will forward it to the ODB. In filling out forms, either to authorize or discontinue allotments-of-pay, servicemen should be sure to give full information requested on form and to sign their names in the space reserved for allotter's signature.

70. How may the serviceman change the amount of monthly payments?

By completing the necessary allotment forms and submitting them to his personnel or commanding officer.

71. When a serviceman authorizes an increase in an allotment-of-pay for dependents, will their next check be in the larger amount?

Forms authorizing increases are sometimes received by the ODB so late in the month that it is impossible to process the authorization and to send out the next check for the full new amount. In such cases, a check for the old amount is sent at the usual time, and later in the month, a check for the additional amount is mailed. In the following month, one check for the full new amount is sent.

72. Who mails allotment-of-pay checks?

They are mailed from the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey.

A FEW GENERAL QUESTIONS

73. Where are the service command headquarters located, and to whom at a service command should a dependent write for an application form or other necessary forms?

Address the Commanding General of any one of the service commands, located as follows:

First Service Command
Boston, Mass.

Second Service Command
Governors Island, N. Y.

Third Service Command
Baltimore, Md.

Fourth Service Command
Atlanta, Ga.

Fifth Service Command
Fort Hayes, Columbus, Ohio

Sixth Service Command
Chicago, Ill.

Seventh Service Command
Omaha, Nebr.

Eighth Service Command
Dallas, Tex.

Ninth Service Command
Fort Douglas, Utah

74. If it is necessary for a dependent to write the ODB about an allotment-of-pay or a family allowance, to whom should letter be addressed?

To no individual. Address inquiry to Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey.

75. Will family allowance and allotment-of-pay checks be mailed to dependents residing outside the continental United States?

Yes. Checks may be mailed to dependents residing in any country to which the United States Treasury permits transmittal of funds.

76. Are proxy marriages recognized for purposes of administering soldiers' benefits?

Not unless the available party and the proxy of the absent party are physically present in a country or state where proxy marriages are recognized and

actually participate in such proxy marriage. Proxy marriages are not recognized in most American states. They will not be recognized for family allowance purposes in the absence of enabling local legislation or opinions by the local courts or attorney generals sustaining their validity.

NOTE—*For purposes of paying a family allowance, if, in addition to a proxy marriage, a common-law marriage was established by the parties in a state where common-law marriages were recognized at the time, the wife will be eligible for a family allowance.*

77. If a soldier's dependents are faced with emergency financial difficulties, to whom should they apply for aid?

To the nearest chapter of the American Red Cross, or the nearest service command headquarters.

78. Where may dependents of Navy, Marine Corps, or Coast Guard personnel write for information concerning dependency benefits?

Navy

Chief, Bureau of Naval Personnel
Navy Department
Washington 25, D. C.

Marine Corps

Commandant, U. S. Marine Corps
Family Allowance Division
Washington 25, D. C.

Coast Guard

Chief, Military Morale Division
U. S. Coast Guard
Washington 25, D. C.

79. How does a family allowance differ from a class E allotment-of-pay?

A family allowance differs from a class E allotment-of-pay as noted below:

(a) A family allowance consists of money deducted from the soldier's pay PLUS a contribution by the Government.

A class E allotment-of-pay consists of money deducted ENTIRELY from the soldier's pay.

(b) The amount of family allowance payable is fixed by law.

The amount of class E allotment-of-pay is fixed by the soldier.

(c) A family allowance is payable only to dependents of enlisted men (or women) and aviation cadets.

A class E allotment-of-pay is payable to dependents of Army men and Army women of all grades from private to general.

NOTE—*The submission of the soldier's full name, Army serial number, and family allowance application (X-) number is a determining factor in the promptness of action on your case and reply to your inquiries. Therefore, when writing to this office, it is necessary that the above information be properly stated.*

TO ALL PAYEES

ALWAYS STATE THE SOLDIER'S ARMY SERIAL NUMBER WHEN WRITING TO THE ODB

★ ★ ★ ★ ★ ★

PROTECT YOUR CHECK!

To protect your check from loss, theft, or fraud, follow these instructions carefully:

1. Be sure your name is plainly visible on the mail box.
2. Receive the check personally from the postman every month, if possible. Ask him to signal you when he is delivering check.
3. Endorse your check in the presence of the person who cashes it for you.
4. In endorsing it, write your name exactly as it appears on the face of the check. If you endorse your check by mark, there must be two witnesses. Full addresses of these witnesses are necessary.
5. Cash your check promptly. Do not leave it lying around the house.
6. Cash check at the same place each month, if possible. This makes identification easier.
7. If you move, notify the Office of Dependency Benefits, 213 Washington St., Newark 2, New Jersey, in writing, giving your new address, the soldier's name, Army serial number, and, if possible, your family allowance application (X-) number. Also notify the local postmaster at your old address, in writing.

PENALTIES FOR FRAUD

From: The Servicemen's Dependents Allowance Act of 1942 (Public Law 625—77th Congress, as amended)

Sec. 116. Whoever shall obtain or receive any money, check, or family allowance * * * without being entitled thereto and with intent to defraud, shall be punished by a fine of not more than $2,000, or by imprisonment for not more than one year, or both.

Sec. 117. Whoever in any claim for family allowance or in any document required * * * makes any statement of a material fact knowing it to be false, shall be guilty of perjury and shall be punished by a fine of not more than $5,000, or by imprisonment for not more than two years, or both.

Sec. 118. Any person who has been entitled to payment of a family allowance * * * and whose entitlement to payment of such allowance has ceased shall, if he thereafter accepts payment of such allowance with the intent to defraud, be punished by a fine of not more than $2,000, or by imprisonment for not more than one year, or both.

Sec. 119. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive or shall attempt to solicit, contract for, charge, or receive any fee or compensation for assisting in any manner an enlisted man or dependent in obtaining a family allowance * * * shall be guilty of a misdemeanor and for each and every offense shall be punishable by a fine of not less than $100 nor more than $1,000 or by imprisonment at hard labor for not more than two years, or by both such fine and imprisonment.

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Booklet FA-4
November 1944

ARMY SERVICE FORCES
OFFICE OF THE FISCAL DIRECTOR
Office of Dependency Benefits
213 Washington Street
Newark 2, New Jersey

NOTE—*This booklet is issued for the purpose of furnishing information of general interest. It does not have the effect of law, regulation, or ruling.*

Publishers Printing Co., New York 11-1-44 2MM

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